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## **MODULE I - STANDARD PERMIT CONDITIONS**

### **I.A. EFFECT OF PERMIT**

- I.A.1. In order to conduct research activities at CAMDS, the Permittee is allowed to treat Lewisite agent and Lewisite waste in the Lewisite Neutralization System at CAMDS (LNSC).
- I.A.2. Pursuant to R315-3-13, compliance with this permit, for the Lewisite Neutralization System (LNSC), constitutes compliance, for purposes of enforcement, with the Utah Solid and Hazardous Waste Act and Resource Conservation and Recovery Act (RCRA), as amended by Hazardous and Solid Waste Amendments (HSWA), except as specified in R315-3-13(a).
- I.A.3. Any treatment, storage, or disposal of hazardous waste in the Lewisite Neutralization System (LNSC) not authorized by this permit is prohibited.
- I.A.4. All Conditions within the Modules supersede conflicting statements, requirements or procedures found within the Attachments.
- I.A.5. All Attachments are incorporated into this permit as enforceable conditions, except as provided in I.A.4.
- I.A.6. Specific references contained in this Permit to documents not contained within this permit incorporate the most current version of those documents as enforceable conditions.
- I.A.7. Lack of a specific reference to an applicable R315 requirement within this permit shall not stay applicability of the requirement.

### **I.B. GENERATOR**

- I.B.1 The Permittee shall comply with R315-5 as applicable to waste generated by the Lewisite Neutralization System (LNSC).
- I.B.2 The Permittee shall comply with all State and RCRA waste code requirements and applicable treatment standards as promulgated under the Land Disposal Restrictions (LDRs), including the new Universal Treatment Standards (UTSs).

**I.C.        PROTECTION**

- I.C.1.        In accordance with R315-3-11(h), this permit shall be issued and administered by the State of Utah.
- I.C.2.        Pursuant to Section 3005(c)(3) of RCRA (Section 212 of HSWA), codified as 40 CFR 270.32(b)(2), and R315-3-23(b)(2), this permit contains those terms and conditions determined necessary to protect human health and the environment.

**I.D.        DUTIES TO COMPLY**

- I.D.1.        The Permittee shall comply with R315-3-10(a).
- I.D.2.        Any permit noncompliance shall be grounds for action in accordance with R315-3-10(a).
- I.D.3.        Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Sections 3007, 3008, 3013, or 7003 of RCRA (42 U.S.C. Sections 6927, 6928, 6934 and 6973), Section 106(a), 104, or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (42 U.S.C. 9606(a), 9604, and 9607, as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986, or any other State or Federal law providing for protection of public health or the environment from any imminent and substantial endangerment to human health or the environment.

**I.E.        ENFORCEABILITY**

Violations, duly documented through the enforcement process and upheld through judicial action, pursuant to Utah Code Annotated 26-14.13, may result in penalties assessed in accordance with R315-102.

**I.F.        NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE**

The Permittee shall comply with R315-3-10(c).

**I.G.        DUTY TO MITIGATE**

The Permittee shall comply with R315-3-10(d).

**I.H. PROPER OPERATION AND MAINTENANCE**

The Permittee shall comply with R315-3-10(e).

**I.I. PERMIT ACTIONS**

I.I.1. Administrative. Administrative actions concerning this permit shall be in accordance with R315-3-10(f).

I.I.2. Modification. Modifications to this permit shall be in accordance with R315-3-15 and R315-3-17.

I.I.3. Termination. Permit termination shall be in accordance with R315-3-16 and R315-3-17.

I.I.4. The Executive Secretary may order an immediate termination of all operations in accordance with R315-3-22(c).

I.I.5. Revocation. Permit revocation or reissuance shall be in accordance with R315-3-15 and R315-3-17.

**I.J. SEVERABILITY**

I.J.1. The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

I.J.2. Invalidation of any State or Federal statutory or regulatory provision which forms the basis for any condition of this permit does not affect the validity of any other State or Federal statutory or regulatory basis for said condition.

**I.K. PROPERTY RIGHTS**

Issuance of this permit shall be in accordance with R315-3-10(g), R315-3-13(b), and R315-3-13(c).

**I.L. DUTY TO PROVIDE INFORMATION**

The Permittee shall comply with R315-3-10(h) and R315-5-5(c).

**I.M.            CONFIDENTIAL INFORMATION**

- I.M.1.        Confidentiality claims shall be made in accordance with Utah Code Annotated 63-2-308 and R277-103.
- I.M.2.        All requests for records shall be made in accordance with R305-1.

**I.N.            INSPECTION AND ENTRY**

- I.N.1.        Pursuant to the Utah Solid and Hazardous Waste Act, UAC 19-6-109, the Permittee shall comply with R315-3-10(i).
- I.N.2.        The Executive Secretary, or appointed representatives, shall be allowed to make record of inspections by photographic, electronic, video tape, or any other reasonable medium. A DSHW written request for an Army permit for this purpose will be provided.

**I.O.            OTHER AUTHORITY**

The Board expressly reserves any right of entry provided by law and any authority to order or perform emergency or other response activities as authorized by law.

**I.P.            REPORTS, DATA AND RECORDS**

- I.P.1.        Monitoring records shall be in accordance with R315-3-10(j).
- I.P.2.        Records shall be collected and maintained for all activities conducted in units regulated by this permit.
- I.P.3.        Sampling and Measurements.
- I.P.3.a.      Samples and measurements shall be in accordance with R315-3-10(j).
- I.P.3.b.      The method used to obtain a representative sample of the waste to be analyzed shall be the appropriate method from R315-50-6 (40 CFR 261, Appendix I incorporated by reference).
- I.P.4.        Equivalent Methods. The Permittee may petition to substitute analytical methods in accordance with R315-2-15.

**I.Q.            SIGNATORY REQUIREMENT**

- I.Q.1.        The Permittee shall comply with R315-3-10(k) and R315-3-8.
- I.Q.2.        Authorized individuals shall be specified in accordance with R315-3-8.
- I.Q.3.        Changes to authorization shall be pursuant to R315-3-8(c).

**I.R.            REPORTING REQUIREMENTS**

- I.R.1.        Reporting Planned Changes.
- I.R.1.a.      In accordance with R315-3-10(f), the Permittee shall comply with R315-3-10(l)(1).
- I.R.2.        Reporting Anticipated Noncompliance.
- I.R.2.a.      The Permittee shall report anticipated noncompliance in accordance with R315-3-10(l)(2).
- I.R.2.b.      Advanced notice shall not constitute a defense for noncompliance in accordance with R315-3-10(f).
- I.R.3.        Reports and Data. The Permittee shall comply with R315-3-10(j), R315-3-10(l)(4), and R315-3-12.
- I.R.4.        Submission Process.
- I.R.4.a.      All reports, notifications, or other submissions which are required by this permit, to be transmitted to the Executive Secretary shall be sent by certified mail or other means with proof of delivery to:

Division of Solid and Hazardous Waste  
P.O. Box 144880  
Salt Lake City, UT 84114-4880  
(801) 538-6170

- I.R.4.b.      All hand delivered submissions shall be made during normal business hours (8 AM to 5 PM, Monday through Friday, except State holidays).

- I.R.4.c. Required oral notifications shall be given only to the Executive Secretary, or an Environmental Manager, Environmental Scientist, or Engineer employed by the Executive Secretary to assist him in administering the hazardous waste program.
- I.R.4.d. Notifications made at other times shall be made to one of the persons specified in Condition I.R.4.c. if the Permittee can contact such person at the Facility or at the office of the Division of Solid and Hazardous Waste.
- I.R.4.e. Otherwise, notification shall be made in accordance with the twenty-four (24) hour reporting requirements specified in Condition I.Z. Notifications made to the twenty-four (24) hour answering service shall include all applicable information required by this permit.
- I.R.4.f. The Permittee shall give oral notification to one of the persons specified in Condition I.R.4.c. on the first business day following the 24-Hour notification.

**I.S. CERTIFICATIONS**

- I.S.1. The Permittee shall make all modifications to the Lewistite Neutralization System (LNSC) in accordance with R315-3-15 and R315-3-17.
- I.S.2. All new construction shall be in accordance with Condition II.B. and approved designs and specifications.
- I.S.3. The Permittee shall not place any new or modified unit into service until the Executive Secretary has in writing accepted the construction certification for that unit, in accordance with Condition II.B.

**I.T. PERMIT DURATION**

In accordance with R315-3-11(b), R315-3-11(c), and R315-3-22(d), this permit shall expire one calendar year from the effective date.

**I.U. DUTY TO REAPPLY**

The Permittee shall comply with R315-3-3(e), R315-3-10(b) and R315-3-22(d).



**I.V. PERMIT EXPIRATION**

- I.V.1. This permit shall expire in accordance with R315-3-11-(d), R315-3-11(e), and R315-3-22(d).
- I.V.2. If the Permittee is found to be out of compliance with this permit as a determination is being made on a permit application, compliance action may be taken in accordance with R315-3-11(f).

**I.W. CONTINUATION OF EXPIRING PERMIT**

Continuation of an expiring permit shall be determined in accordance with R315-3-11(d) and R315-3-11(g).

**I.X. TRANSFER OF PERMIT**

This permit shall not be transferred to a new owner or operator.

**I.Y. RECORD KEEPING**

- I.Y.1. The Permittee shall comply with R315-3-7(c), R315-5-5, and R315-8-5.
- I.Y.2. Records shall be collected and maintained for all activities in the operating record for the Lewisite Neutralization System (LNSC).
- I.Y.3. Record Retention. The retention period for records may be extended in accordance with R315-5-5(d) and R315-8-5.5(b).
- I.Y.4. Operating Record.
- I.Y.4.a. The Permittee shall compile and maintain an operating record for the Lewisite Neutralization System (LNSC) in accordance with R315-8-5.3 (40 CFR 264.73 incorporated by reference).
- I.Y.4.b. The Permittee shall maintain the operating record for the Lewisite Neutralization System (LNSC) at the CAMDS site until closure of the CAMDS facility.
- I.Y.5. Compliance Schedules. The Permittee shall comply with R315-3-10(l)(5) as required by the Executive Secretary.

I.Y.6. Spill Reporting.

I.Y.6.a. The Permittee shall comply with R315-9-1.

I.Y.6.b. As a potential endangerment to human health and the environment, in accordance with Condition I.Z.2., a release of Lewisite or other chemical agent from the Lewisite Neutralization System (LNSC) shall be reported in accordance with R315-9-1(b)(1).

I.Y.6.c. Information shall be reported in accordance with R315-3-10(l)(6) and R315-9-1.

I.Y.7. Additional Reporting. The Permittee shall comply with R315-5-8 and R315-8-5.8 as requested in writing by the Executive Secretary.

**I.Z. TWENTY-FOUR HOUR REPORTING**

I.Z.1. Twenty-four hour reporting shall be in accordance with R315-3-10(l)(6).

I.Z.2. Potential endangerment.

I.Z.2.a. Any release of hazardous waste to air, soil, groundwater, or surface water of material listed in R315-2-11(e)(1) or R315-2-10(e)(1) shall be reported in accordance with R315-9-1.

I.Z.3. Utah Department of Environmental Quality 24-Hour Answering Service telephone number is (801) 536-4123.

**I.AA. OTHER NONCOMPLIANCE**

Reporting of otherwise unspecified noncompliance shall be in accordance with R315-3-10(l)(10).

**I.BB. OTHER INFORMATION**

I.BB.1. The Permittee shall comply with R315-3-10(l)(11).

I.BB.2. Submission of other information shall be in accordance with R315-3-10(l)(11).